

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN ASSOCIATION OF
UNIVERSITY PROFESSORS, ET AL.,

Plaintiffs,

V.

MARCO RUBIO, in his official capacity
as Secretary of State, and the
DEPARTMENT OF STATE, ET AL.,

Defendants.

Civil Action No. 1:25-cv-10685-WGY

**DEFENDANTS' MOTION TO APPEAR REMOTELY AT HEARING,
OR ALTERNATIVELY, STAY HEARING UNTIL COUNSEL IS
AVAILABLE FOR IN-PERSON APPEARANCE**

This case is scheduled for an in-person status conference on May 22, 2025 at 2:45 pm, in Boston, Massachusetts. *See* Dkt No. 89. Defendants respectfully request that the Court allow undersigned counsel, who will lead the trial team in this matter, to appear by videoconference. Alternatively, Defendants respectfully request that the Court stay the hearing until the following week, or until a time at which trial counsel from both parties will be able to attend in person.

Defendants makes this motion in good faith and with good cause. Long before he joined the Government's litigation team in this matter, the undersigned had scheduled a commitment that requires that he be present in Washington, D.C. by 6:00 p.m. on May 22, 2025. Were he to attend the May 22 conference in person, he would not be able to return to Washington, D.C. in time to meet that commitment. Defendants have contacted Plaintiffs' counsel for their consent on this request, and Plaintiff's counsel have indicated that Plaintiffs take no position.

Alternatively, so that trial counsel may appear in person in Boston, Defendants respectfully request that the Court postpone the May 22, 2025 hearing until the following week, or until another date of the Court's choosing. Trial counsel will be available that week and the following week for an in-person hearing in Boston. Defendants asked Plaintiffs' counsel whether they consent to delaying the hearing until the following week, and Plaintiffs' counsel indicated that they did not consent, and were not available the following week.

WHEREFORE, undersigned counsel respectfully requests that the Court allow him to appear remotely by videoconference for the hearing on May 22, 2025, or alternatively, that the hearing be postponed until a later date of the Court's choosing.

Respectfully Submitted,

YAAKOV M. ROTH
Acting Assistant Attorney General

DREW C. ENSIGN
Deputy Assistant Attorney General

LEAH B. FOLEY
United States Attorney

SHAWNA YEN
*Assistant United States Attorney
District of Massachusetts*

Dated: May 21, 2025

William Kanellis
Attorney
WILLIAM KANELIS

ETHAN B. KANTER
*Chief, National Security Unit
Office of Immigration Litigation
P.O. Box 878, Ben Franklin Station
Washington, D.C. 20001*

LINDSAY M. MURPHY
*Senior Litigation Counsel
Office of Immigration Litigation*

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: May 21, 2025

By: /s/ Lindsay M. Murphy
LINDSAY M. MURPHY